

Iowa's Open Records Law

Background

Commonly known as the “open meetings” or “sunshine” laws, Iowa Code chapters [21](#) and [22](#) exist to ensure government transparency and public accountability at all Iowa government levels. Iowa Code chapter [21](#) addresses this mission with regard to open meetings, while Iowa Code chapter 22 focuses primarily on the examination and dissemination of public records. [The Iowa Public Information Board](#) (IPIB), as created by Iowa Code chapter [23](#), is the independent agency charged with administering and enforcing these open meetings and public records laws. Though limited in its jurisdictional capability, the Board provides a free and efficient medium for the general public of Iowa to receive information and resolve complaints regarding open meetings and public record requests.

Purpose

Iowa Code chapter [22](#), “Examination of Public Records” defines the term “public record” as:

...all records, documents, tape, or other information, stored or preserved in any medium, of or belonging to this state or any county, city, township, school corporation, political subdivision, nonprofit corporation other than a fair conducting a fair event as provided in chapter [174](#), whose facilities or indebtedness are supported in whole or in part with property tax revenue and which is licensed to conduct pari-mutuel wagering pursuant to chapter [99D](#), or tax-supported district in this state, or any branch, department, board, bureau, commission, council, or committee of any of the foregoing.¹

Public records also include any record relating to investment of public funds, including but not limited to investment policies, instructions, trading orders, or contracts that are either in the custody of the public body responsible for the funds or its fiduciary (or other third party).

Iowa Code chapter [22](#) also specifies that the lawful custodian of a public record refers to the governmental body that is currently in possession of the public record. The public has the right, in person or in writing, to request to examine, copy, publish or otherwise disseminate a public record unless otherwise stated by law. Public records are to be available any time during customary office hours of the lawful custodian, and if applicable, at a fee that is to be reasonable and that does not exceed the actual cost of providing the service. Iowa Code section [22.8\(4\)](#) allows the lawful custodian to provide for a “good-faith reasonable delay” in producing records up to 20 calendar days but not more than 10 business days.² Computerized records are treated the same as those that are available in paper form.

There are 67 exceptions withheld in the law as confidential and not public records including but not limited to:

- Criminal identification files
- Investigative reports of peace officers
- Personal information from confidential personnel records
- Hospital and medical records
- Personal information regarding a student as held by a school or educational institution
- Reports that, if released, provide an advantage to competitors and serve no public purpose
- Medical examiner records including autopsy reports, investigate reports, and preliminary reports

More Information

Iowa Public Information Board: <https://ipib.iowa.gov/>

Iowa General Assembly: <https://www.legis.iowa.gov/>

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¹ <https://ipib.iowa.gov/chapter-22-text-version>

² <https://ipib.iowa.gov/faq/i-want-record-right-now-how-much-time-does-public-agency-have-produce-requested-record>

Complaints, Enforcement, and Resolution

Complaints must be filed with the IPIB within 60 days of the occurrence of the violation. The Board may informally or formally coordinate compromises that satisfy all parties involved. Remedial plans include conducting investigations, conducting party hearings, completing training sessions regarding Iowa Code chapter [22](#), and participating in informal or formal conferences to reach a peaceful solution. The Board and its counsel may also publish advisory and declaratory opinions regarding open record violations and recommend legislation to further address issues regarding Iowa Code chapter [22](#). If no informal resolution can be agreed to, a formal hearing may be held by an administrative law judge. Statutory damages of up to \$1,000 may be imposed. If the party being fined is a State government body, the damage fee will be allocated to the General Fund. If a local official or committee is fined, the appropriate local government body will receive the damage fee. Should the parties not be satisfied with the ruling of the administrative law judge, they may take their case to district court.

In calendar year 2014, the IPIB processed approximately 800 cases regarding open meetings and public record laws. The majority of these were informal and resolved within a short period of time.

Related Statutes and Administrative Rules

Iowa Code chapters [22](#) and [23](#)

Iowa Administrative Code chapter [497](#)